

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CELTIC WOMAN LTD.,

Plaintiff,

v.

CELTIC THUNDER LTD.,
CELTIC MAN LTD., SHARON
BROWNE, WLIW LLC,
ALIGN ENTERTAINMENT GROUP LLC,
and GUSTAVO SAGASTUME,

Defendants.

Civil Action No. 08-CV-0066 (TPG) (HP)

**DECLARATION OF
PETER HERBERT**

Peter Herbert, under penalty of perjury, pursuant to 28 U.S.C. § 1746, declares:

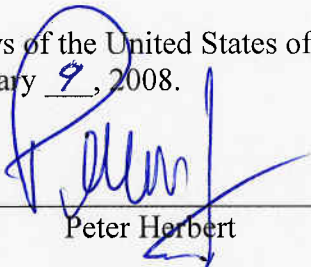
1. I am a Partner at the law firm of Hinckley, Allen & Snyder LLP, attorneys for Plaintiff Celtic Woman Ltd. in the above-entitled action, and I submit this declaration in support of Plaintiff's Motion for Preliminary Injunction.
2. Defendant WLIW LLC was served with a copy of the Summons and Complaint in this action in accordance with Rule 4 of the Federal Rules of Civil Procedure.
3. Defendants Sharon Browne, Celtic Man Ltd., and Celtic Thunder Ltd. reside in Ireland. Plaintiff is in the process of attempting to serve these parties in accordance with the procedures set forth under the Hague Convention. In the meantime, I have instructed Plaintiff's counsel in Ireland, James Hickey of the law firm of Matheson Ormsby Prentice, to provide a courtesy copy of the Summons and Complaint filed in this action upon the attorneys in Ireland for Defendants Celtic Thunder, Ltd., Celtic Man Ltd. and Sharon Browne.

4. Upon information and belief, Defendant Align Entertainment Group LLC (“Align”) has a principal place of business at 450 West 33rd Street, New York, New York. This address is an apartment house in which resides an individual by the name of Mark T. Johnson, whose website identifies him as a Partner at Align Entertainment Group LLC. Plaintiff has made several unsuccessful attempts to serve Align at this address, and has been informed that Mr. Johnson is presently out of the country. We intend to continue to attempt to serve Align at this address every 2-3 days.

5. Plaintiff has not been able to locate an address for Defendant Gustavo Sagastume. Upon information and belief, Mr. Sagastume resides in Miami, Florida.

6. Plaintiff has submitted a Declaration of David Kavanagh in support of its motion for a preliminary injunction, which contains a facsimile signature. Mr. Kavanagh resides in Ireland. Plaintiff will file an original signature from Mr. Kavanagh with the Clerk of the Court upon receipt. All other declarations submitted in support of Plaintiff’s motion for preliminary injunction contain original signatures.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 9, 2008.



Peter Herbert

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2008, I caused a true and correct copy of the foregoing Plaintiff Celtic Woman Ltd.'s Motion for Preliminary Injunction, Declaration of David Kavanagh with accompanying exhibits, Declaration of Jonathan Hochwald, and Declaration of Peter Herbert to be served upon Defendant via hand delivery addressed as follows:

WLIW, LLC
450 West 33rd Street
New York, N.Y. 10001



Richard S. Mandel